

UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

U.S. DISTRICT COURT
DISTRICT OF WYOMING

2012 SEP 25 AM 10 41

UNITED STATES OF AMERICA

STEPHAN HARRIS, CLERK

V.

CRIMINAL COMPLAINT

MARVIN IVERSON,

CASE NUMBER: 12MJ175-J

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

From on or about April 9, 2012, and continuing on or about and through September 24, 2012, in the District of Wyoming, the Defendant, **MARVIN IVERSON**, devised a scheme and artifice:

- (a) to defraud Big Horn Federal Savings Bank, a federally insured financial institution,
- (b) to obtain moneys, funds, credits, assets, securities, or other property owned by or under the custody or control of Big Horn Federal Savings Bank, a federally insured financial institution, by means of materially false or fraudulent pretenses, representations, or promises.

It was part of the scheme and artifice that the Defendant, on or about June 23, 2012, in the District of Wyoming, caused to be delivered to Big Horn Federal Savings Bank, by certified mail, check number 1170 in the amount of \$17,698 and check number 1171 in the amount of \$9,680. Said checks were drawn on Defendant's First Interstate Bank account which was closed on April 19, 2012. Defendant presented said checks to Big Horn Federal Savings Bank to pay off existing debts owed by Defendant to Big Horn Federal Savings Bank. As a result, Big Horn Federal Savings Bank discharged Defendant's debts. Big Horn Federal Savings Bank presented said checks to First Interstate Bank for payment. Said checks were not honored as they were drawn on a closed account. To date, Defendant has refused to reimburse Big Horn Federal Savings Bank for said checks.

In violation of 18 U.S.C. §1344. I further state that I am a Special Agent and that this Complaint is based on the following facts: **SEE ATTACHED AFFIDAVIT**

Continued on the attached sheet and made a part hereof: ☒ Yes ☐ No

Kent C. Smith

Signature of Complainant
Kent C. Smith

Sworn to before me and subscribed in my presence,

September 25, 2012

at

Casper, Wyoming

Date

City and State

R. Michael Shickich
U.S. Magistrate Judge

Name & Title of Judicial Officer

[Signature]

Signature of Judicial Officer

**Attachment B to Complaint
Affidavit of Kent C. Smith**

I, Kent C. Smith, having been duly sworn, state the following information to be true and correct to the best of my knowledge, information, and belief:

1. I am a Special Agent of the Federal Bureau of Investigation (FBI) of the United States Department of Justice and have been so employed since August, 1996. I am assigned to the Denver Division, Casper Resident Agency Office of the FBI since December, 2005. I have had the opportunity to work multiple cases during my career as a Special Agent. The following events are within my personal knowledge or were related to me by other law enforcement personnel.

2. On approximately July 13, 2012, Affiant was contacted by the Big Horn County Sheriff's Office, Big Horn County, Wyoming, regarding a potential bank fraud at two branches of the Big Horn Federal Savings Bank, a federally insured financial institution. On July 18, 2012, affiant traveled to Big Horn County to meet with officers from the Big Horn County Sheriff's Office and the Big Horn County Prosecutor. Other meetings were held with Big Horn Federal Savings Bank Vice President Justin Sanders, Big Horn County Sheriff's Office Deputy Jason Beal, and Cody Police Department Detective Jason Stafford.

3. On June 23, 2012, two separate branches of the Big Horn Federal Savings Bank, the Greybull, Wyoming, branch, and the Cody, Wyoming, branch, each received a check, via certified mail, written by a customer, Marvin Iverson. The checks, dated June 22, 2012, were written against an account held by Iverson at the First Interstate Bank. Each check was written to pay off an existing debt owed by Iverson to Big Horn Federal Savings Bank. In the memo line on each check was written "EFT ONLY for discharge of debt". The check received by the Cody branch, check number 1171, was in the amount of \$9,680, and was a payoff amount for a mortgage held by the bank on a property owned by Iverson. The check received by the Greybull branch, check number 1170, was written for \$17,698, and was a payoff amount for a vehicle loan held by the bank on a vehicle owned by Iverson. On the back of each check was written:

"NOT FOR DEPOSIT
EFT ONLY
For discharge of debt
Marvin Leslie Iverson (signature)
authorized representative 6/22/2012
Without Recourse"

4. Mr. Iverson had been a longtime customer of Big Horn Federal Savings Bank, since February of 2002. The checks appeared odd to the bank employees, but since Iverson had been a good customer for several years, the checks were processed. A mortgage release and the deed of trust were signed and mailed to Iverson. On the vehicle loan, the lien was cleared and the vehicle title was released to Iverson.

5. On July 2, 2012, the checks were returned, and Big Horn Federal Savings Bank was notified that the checks were invalid, having been written against a closed account at First Interstate Bank. Vice President Sanders attempted to call Iverson on several occasions. He reached Iverson telephonically on July 3, 2012. Sanders tried to explain the situation to Iverson and Iverson explained that the transaction was a reverse wire transfer, EFT, and started talking about the constitution. According to Sanders, the conversation got "a bit heated."


6. Big Horn Federal Savings Bank has attempted to communicate with Iverson on several occasions to clear up the situation and determine if it was a mistake. Iverson has rejected all attempts and ignored all letters and statements except one, where he advised them that they were committing fraud by not honoring their initial handling of the checks/EFT process.

7. On August 3, 2012, affiant met with Bryan Skoric, the Park County Attorney, Park County, Wyoming, and was provided with a copy of the investigative file of the investigation of Iverson. The majority of the investigation in the file had been completed by Det. Stafford. Included in the file was information received from First Interstate Bank regarding the account opened by Iverson at First Interstate Bank. The bank statements show that Iverson opened the bank account on April 9, 2012. Iverson wrote one check on the account, and then closed the account on April 19, 2012.

8. In my current work as an FBI Special Agent, I am investigating and learning about Sovereign Citizens. A current scheme being taught and practiced by the Sovereigns nationwide is the "EFT" process. This process shows the individuals how to open an account, write one check on the account, then close the account. An already existing account can be closed or a previously closed account may also be used. Once the account is closed, the individual writes checks against the closed account to pay off various debts, to include mortgages, vehicle loans, and other debts. The sovereign verbiage is written on the checks and they are usually sent via certified mail.

9. Based on the above, there is probable cause to believe that Marvin L. Iverson, on or about Jun 22, 2012, did knowingly execute a scheme to defraud a financial institution in the District of Wyoming, in violation of Title 18, United States Code, Section 1344.

FURTHER AFFIANT SAITH NOT.


KENT C. SMITH
Special Agent
Federal Bureau of Investigation
Denver, Colorado

SWORN TO AND SUBSCRIBED BEFORE ME
THIS 15 DAY OF September, 2012


UNITED STATES MAGISTRATE JUDGE

PENALTY SUMMARY

DEFENDANT NAME: MARVIN IVERSON

DATE: September 25, 2012

INTERPRETER NEEDED: _____ Yes _____ No

THE GOVERNMENT, PURSUANT TO RULE 18, F.R.Cr.P., WITH DUE REGARD FOR THE CONVENIENCE OF THE DEFENDANT, ANY VICTIM AND WITNESSES, AND THE PROMPT ADMINISTRATION OF JUSTICE, REQUESTS TRIAL BE HELD IN:

_____ Cheyenne ☒ Casper _____ Lander _____ No Preference

VICTIM: _____ ☒ Yes _____ No

SEAL CASE: Yes _____ ☒ No

OFFENSE: 18 U.S.C. § 1344
(Bank Fraud)

PENALTIES: 0-30 Years Imprisonment
\$1,000,000 Fine
3 Years Supervised Release
\$100 Special Assessment

AGENT: Kent C. Smith/FBI **AUSA:** Stephanie I. Sprecher

ESTIMATED TIME OF TRIAL: ☒ 1-5 days _____ more than 5 days

THE GOVERNMENT WILL SEEK DETENTION IN THIS CASE:

_____ ☒ Yes _____ No

The court should not grant bond because the Defendant is not bondable because there are detainers from other jurisdictions:

_____ Yes _____ No